UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,633	08/20/2001	Gnanaprakasam Pandian	M-8371 US	6410

33031 7590 04/06/2005		EXAMINER
CAMPBELL STEPHENSON ASCOLESE, LLP		JUNTIMA, NITTAYA

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ART UNIT	PAPER NUMBER
2663	

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _20 August 2001_.

2a) ☐ This action is FINAL.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-20_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-8,14,15,19 and 20_ is/are rejected.

7) ☒ Claim(s) _9-13 and 16-18_ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _20 August 2001_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All   b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Drawings

1.   The drawings are objected to because:

- in Figs. 4A-4C, 8A-8C, and 9A-9C, "IE1-IEX" require legends;

- in Figs. 5A-5C, items 504-522 require descriptive text labels;

- in Figs. 6A-6C, items 602-620 require descriptive text labels;

- in Figs. 7A-7C, items 702-728 require descriptive text labels.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2.   Claims 11 and 20 are objected to because of the following informalities:

  - in claim 11, ll 4, "SVCs" should be spelled out;

  - in claims 11 and 20, "is configured to" should be changed to make the limitations

positive. **An alternative to the suggested change would be a written confirmation stating**

that the claimed element performs the actual function following "is configured to." It has

been held that the recitation that an element "is configured to" perform a function is *not* a

positive limitation but only requires the ability to so perform. It does not constitute a limitation

in any patentable sense.

        Appropriate correction is required.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
> sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-2, 6, 8, 14, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by

Liang et al. ("Liang") (USPN 5,781,529).

        Regarding claim 1, Liang teaches a method comprising:

        a first network switch (a receiving node) receiving a message (an incoming message, e.g.

a SETUP message) at one (input port) of a plurality of interfaces to the first network switch;

        the first network switch reading data (DTL data of the received message) contained in the

message;

the first network switch generating first data (DTL data of the received message and input

port value of the receiving node) as a function of both the data (DTL data of the received

message) and first interface identifier data (input port value of the receiving node) which

corresponds to the one of the plurality of interfaces;

the first network switch replacing the data in the message with the first data thereby

creating a first modified message (the message with the updated DTL including DTL data of the

received message and input port value of the receiving node);

the first network switch outputting the first modified message at another of the plurality

of interfaces (output port of the received node).

See col. 7, ll 48-66.

Regarding claim 2, Liang teaches the claimed elements; a second network switch (the

next node that receives a SETUP message) receiving the message on its input port and

transmitting a second modified message (the message with the updated DTL) with second data

(DTL data of the received message and input port value of the receiving node) via its output port,

as recited in the claim (col. 10, ll 42-46).

Regarding claim 6, Liang teaches that the message comprises call reference data (call

reference, Fig. 3), and the first network switch (a receiving node, e.g. a destination node) must

copy the call reference data (call reference IE) into a memory location which corresponds to the

first data (DTL data of the received message and input port value of the receiving node). See

col. 7, ll 56-65 and col. 10, ll 52-56, see also col. 3, ll 49-55.

Regarding claim 8, Liang teaches that the first network switch (a receiving node, e.g. a

destination node) creating a first SVC (VPI/VCI, col. 10, ll 42-46) for processing communication

data transmitting between at least two end devices (originating and terminating DTEs, col. 4, ll 65-col. 5, ll 3), and the first network switch mapping the first SVC (VPI/VCI) to the call reference data (the destination node stores the call reference IE along with the routing DTL IEs which include the VPI/VCI, col. 10, ll 42-56, therefore, the VPI/VCI must be mapped to the call reference).

Claim 14 is a computer readable medium claim corresponds to method claim 1, and therefore is rejected under the same reason set forth in the rejection of claim 1 with an addition of instructions executable by a processor contained in a network switch (operations conducted by processor means at a receiving node, col. 9, ll 25-col. 10, ll 41) implementing the method of claim 1.

Claim 20 is a network switch claim corresponds to method claim 1, and therefore is rejected under the same reason set forth in the rejection of claim 1 with the additions of a data memory (RAM 54, Fig. 2, col. 5, ll 22-43), a plurality of interfaces (input/output ports 40a-40h, Fig. 2, col. 5, ll 22-43), a processor (processor 52, Fig. 2, col. 5, ll 22-43), and an instructions memory comprising instructions executable by the processor (operations conducted by processor means at a receiving node, col. 9, ll 25, Fig. 7A-7B, must be stored at an instructions memory in order to be executable by the node processor).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 3-5, 7, 15, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Liang et al. ("Liang") (USPN 5,781,529).

Regarding claims 3 and 15, Liang teaches the first network switch creating a first SVC

(VPI/VCI) for processing communication data, wherein the first SVC is created in response to

receiving the message (an incoming message, e.g. a SETUP message). See col. 7, ll 56-66.

Liang fails to explicitly teach that the first network switch storing data relating to the first

SVC into a memory location, wherein the memory location corresponds to the first data.

However, an examiner notice is taken that data relating to the first SVC, e.g. a VPI/VCI

value, is stored into a memory location of the node in order to keep track of the resource being

allocated and the SVC being established.

Therefore, since the first SVC, i.e. a VPI/VCI value, is designated by a receiving node

and corresponds to the DTL data of the received message and input port value of the receiving

node (col. 7, ll 56-65), it would have been obvious to one skilled in the art at the time the

invention was made to modify the teaching of Liang to include that the first network switch

storing data relating to the first SVC into a memory location, wherein the memory location

corresponds to the first data (i.e. corresponding to the DTL data of the received message and

input port value of the receiving node) in order to keep track of the resource being allocated and

the first SVC being established.

Regarding claim 4, see rejection of claim 3 regarding the first network switch creating a

first SVC and storing data relating to the first SVC into a memory location. Liang fails to teach

the claimed elements relating to the second network switch as recited in the claim. However,

since Liang teaches that each node receiving the CALL SETUP message will fills in its input

port and a VPI/VCI (col. 10, ll 42-46), thus it would have been obvious to one skilled in the art at

the time the invention was made to modify the teaching of Liang to also include the claimed

elements relating to the second network switch as recited in the claim in order to keep track of

the resource being allocated and the second SVC being established.

Regarding claim 5, Liang teaches the first network switch allocating a portion of its data

processing resources (a VPI/VCI) to process communication data in response to receiving the

message (an incoming message, e.g. a SETUP message). See col. 7, ll 56-66.

Liang fails to explicitly teach that the first network switch storing data relating to the first

SVC into a memory location, wherein the memory location corresponds to the first data.

However, an examiner notice is taken that data relating to the first SVC, e.g. a VPI/VCI

value, is stored into a memory location of the node in order to keep track of the resource being

allocated and the SVC being established.

Therefore, since the first SVC, i.e. a VPI/VCI value, is designated by a receiving node

and corresponds to the DTL data of the received message and input port value of the receiving

node (col. 7, ll 56-65), it would have been obvious to one skilled in the art at the time the

invention was made to modify the teaching of Liang to include that the first network switch

storing data relating to the first SVC into a memory location, wherein the memory location

corresponds to the first data (i.e. corresponding to the DTL data of the received message and

input port value of the receiving node) in order to keep track of the resource being allocated and

the first SVC being established.

Regarding claims 7 and 19, although Liang teaches inserting the input port value in the appropriate field of the existing Routing DTL IE (col. 7, ll 56-65, see also Fig. 5 and col. 6, ll 2-16), Liang fails to teach generating the first data (DTL data of the received message and input port value of the receiving node) comprises concatenating the first interface data (input port value of the receiving node) with the data (DTL data of the received message).

However, since Liang teaches that the Routing DTL IL is a concatenation of elements (col. 6, ll 2-4) and the format of the elements of the DTL can be changed (col. 11, kk 60-62), therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the teaching of Liang to include generating the first data comprises concatenating the first interface data with the data as recited in the claim. The suggestion/motivation to do so would have been to accommodate a change in hardware that causes a change in the format of the DTL elements as suggested by Liang (col. 11, ll 60-62).

Allowable Subject Matter

7.   Claims 9-13 and 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nittaya Juntima whose telephone number is 571-272-3120. The examiner can normally be reached on Monday through Friday, 8:00 A.M - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nittaya Juntima
April 4, 2005
NJ

RICKY NGO
PRIMARY EXAMINER   4/4/05